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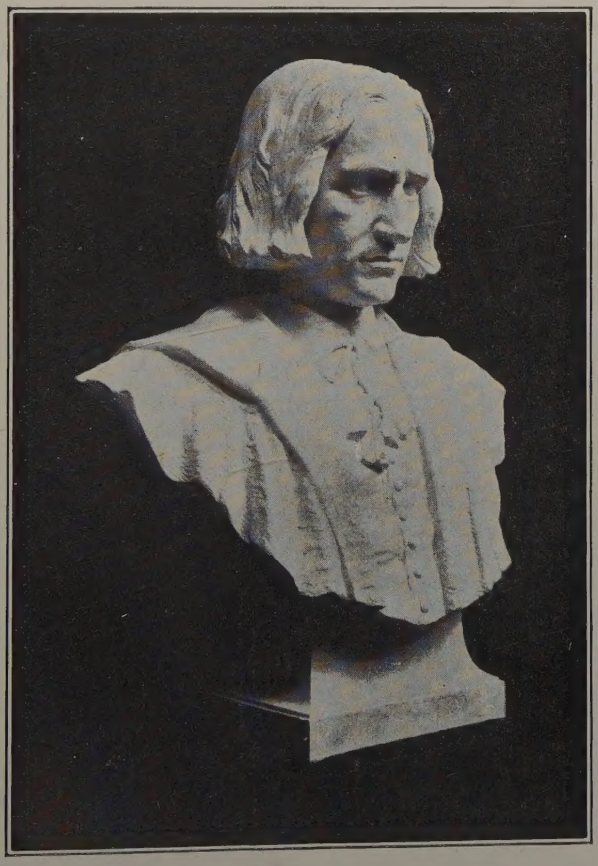

Bust of Roger Williams recently placed in Hall of Fame, New York.

Courtesy of Society of Colonial Dames

Issued Quarterly

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RHODE ISLAND HISTORICAL SOCIETY

COLLECTIONS

Vol. XIX July, 1926 No. 3

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Rhode Island's Declaration of Independence

Address delivered before the Rhode Island Historical Society on May 4th, 1926.

By Walter F. Angell

The event which has called us together this evening is the enactment one hundred and fifty years ago by the General Assembly of the Colony of Rhode Island of a statute, the essential parts of which are as follows:

RHODE ISLAND'S DECLARATION OF INDEPENDENCE ENACTED MAY 4, 1776

An Act repealing an act, entitled "An act for the more effectually securing to His Majesty, the allegiance of his subjects, in this his colony and dominion of Rhode Island and Providence Plantations;" and altering the forms of commissions, of all writs and processes in the courts, and of the oaths prescribed by law.

Whereas, in all states, existing by compact, protection and allegiance are reciprocal; the latter being only due in consequence of the former.

And whereas, George the Third, King of Great Britain, forgetting his dignity, regardless of the compact most solemnly entered into, ratified and confirmed to the inhabitants of this colony, by his illustrious ancestors; and till of late, fully recognized by him; and entirely departing from the duties and character of a good king, instead of protecting, is endeavoring to destroy the good people of this colony, and of all the United Colonies, by sending fleets and armies to America, to confiscate our property, and spread fire, sword and desolation, throughout our country, in order to compel us to submit to the most debasing and detestable tyranny; whereby, we are obliged, by necessity, and it becomes our highest duty, to use every means, with which God and nature have furnished us, in support of our invaluable rights and privileges; to oppose that power which is exerted only for our destruction.

Be it therefore enacted by this General Assembly, and by the authority thereof, it is enacted, that an act entitled "An act for the more effectual securing to His Majesty the allegiance of his subjects, in this his colony and dominion of Rhode Island and Providence Plantations," be, and the same is hereby, repealed.

And be it further enacted by this General Assembly, and by the authority thereof, it is enacted, that in all commissions for offices, civil and military; and in all writs and processes in law, whether original, judicial or executory, civil or criminal, wherever the name and authority of the said King is made use of, the same shall be omitted; and in the room thereof, the name and authority of the Governor and Company of this colony, shall be substituted, in the following words, to wit: "The Governor and Company of the English Colony of Rhode Island and Providence Plantations."

That all such commissions, writs and processes, shall be otherwise of the same form and tenure as they heretofore were.

That the courts of law be no longer entitled, nor considered, as the King's courts.

And that no instrument in writing, of any nature or kind, whether public or private, shall, in the date thereof, mention the year of the said King's reign.

Provided, nevertheless, that nothing in this act contained, shall render void or vitiate any commission, writ, process or instrument, heretofore made or executed, on account of the name and authority of the said King being therein inserted.

(Rhode Island Colonial Records, Vol. 7, 522-3)

This was both a declaration and an act of independence. In plain and unequivocal language, it severed the one and only legal tie which bound the colony of Rhode Island and its people to Great Britain; namely, the tie of allegiance to the King. It did this without any reservations or expressions of desire or hope for reconciliation, and without waiting or asking for the co-operation of anybody else. First, irrevocably and alone, Rhode Island hauled down the British flag, raised her own in its place, set out upon a career as an independent State, and adjusted her government to the new situation.

That such was the intention of this act, a multitude of contemporaneous acts and utterances show. It is sufficient to quote two. Governor Nicholas Cooke of Rhode Island wrote to George Washington on the 6th of May, 1776:

> "I enclose a copy of an act discharging the inhabitants of this colony from allegiance to the King of Great Britain, which was enacted in the house of deputies, after a debate, with but six dissentient voices; there being upwards of sixty members present."

On the 14th of May, 1776, Nathanael Greene wrote to a friend:

> "By a late act passed last session in your government, you have declared yourselves independent. 'Tis nobly done. God prosper you and crown your efforts with success."

The verdict of historians has been the same. George Bancroft says of this act:

> "It was at once a declaration of independence and an organization of a self constituted republic."

E. Benjamin Andrews says:

> "May 4, 1776: Rhode Island formally declared her independence of Great Britain by a solemn act abjuring her allegiance to the British Crown. * * * It constitutes Rhode Island as the oldest independent State in America."

The purpose of such an occasion as this is not, therefore, to establish the fact that the Act of May 4th, 1776, was a declaration of Rhode Island's independence; but to pay tribute to the wisdom and courage of the men who dared to take a step fraught with such dangers and such tremendous consequences to themselves and their fellow citizens, the acumen with which they discerned the means of accomplishing their purpose, and the orderly procedure by which they effected it. And also to review, that we may always keep them fresh in our minds, the circumstances which led to their action and which dictated the form which they took to accomplish it.

When you are tied to a thing from which you want to escape, you look for the thing that ties you and try to sever it or cast it off. Those of you who are readers of O. Henry will perhaps recall how Justice of the Peace Benaja Widdup of Piedmont County, Tennessee, solved the problem of divorce. Two mountaineers, man and wife, appeared before him and asked for a severance of their matrimonial ties. He resolved a doubt as to his jurisdiction on the principle that since he was undoubtedly authorized to marry people, it stood to reason that he could unmarry them; and then he proceeded to frame his decree in these words:

"Know All Men by these Presents, that Ransie Bilbro and Arielo Bilbro, his wife, this day personally appeared before me and promised that hereinafter they will neither love, honor nor obey each other, neither for better nor worse, being of sound body and mind, and accept summons for divorce according to the peace and dignity of the State. Hereof fail not, so help your God.

Benaja Widdup,

Justice of the Peace in and for the County of Piedmont, State of Tennessee."

In other words, Justice Benaja Widdup sought for and found what it was that bound Ransie and Arielo Bilbro together. It was the marriage covenant. This covenant, in terms of such formality as he conceived the dignity of his court and of the State required, the Justice reversed and repealed—and the deed was done.

In much the same way, our forefathers sought in 1776 for the tie that bound them to the British State, from which they had determined to divorce themselves. There was just one legal tie—their allegiance to the King. Then, as today, the one thing common to all English subjects in any part of the world was this allegiance. That this is so is the principal excuse for the continuance of the English monarchy, which in fact has become practically a democracy. But today, as in 1776, however far from England Englishmen may live, however diverse may be the laws in effect in the far-flung colonies in which they dwell, whether they live under the equator or the pole, there is one thing that they all have in common—they owe allegiance not to the State, but to the King. A man born today in England or in Canada is not a citizen of England or a citizen of Canada. He is not a citizen at all. He is a subject of King George the Fifth, and owes allegiance to King George the Fifth. This you may verify any day by stepping into a United States court where an

Englishman is about to be naturalized. You will hear the Clerk require him on oath

> "to absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and particularly to George the Fifth, King of Great Britain and Ireland, whose subject you have heretofore been."

It should be remembered, too, that we owed our colonial existence to the King alone—not in any degree to Parliament or any other department of the British State. It was Charles the Second, "by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith," who granted us our charter; and he was careful to say that he did it "of his especial grace, certain knowledge and mere motion." It was he who granted us the lands which we occupied and from which we derived our subsistence. And it was from him alone that we derived our governmental powers. Thus the colonists were bound to him by a special tie.

Now, to this fundamental thing—allegiance to the King, our fathers found that they had bound themselves by a statute enacted by themselves. They found in the *Digest of 1767* an act entitled:

> "An Act for the more effectually securing to his Majesty, the allegiance of his subjects, in this his colony and dominion of Rhode Island and Providence Plantations."

By it they both acknowledged that allegiance and might be called upon at any time to make formal oath to it. As long as that act remained, they were subjects by their own confession. They could do nothing inconsistent with allegiance to the King without violating a law which they themselves had made. If they wanted to be independent, their course was clear. It was to repeal this act. They did it by the act which we celebrate today. They thus severed the only tie by which they had bound themselves to the King. They had never been bound to anybody

else. By the severance of this tie, they became free and independent.

When attention began to be called to this act in recent years, it was criticized because it did not, like the resolutions passed by the Continental Congress on the 2nd and 4th days of the following July, specifically declare that Rhode Island was a free and independent State. But the act did what the Continental Congress had no power to do—it repealed the act of the Rhode Island legislature recognizing and requiring allegiance to the King and thus removed the only legal barrier between the colony and independence. It spoke for itself. It substituted freedom for subjection. That was its inevitable effect, and there was no need of declaring that effect. When a ship is ready to sail, and the captain stands on the bridge and the last hawser is cast off, the officer of the deck reports to the captain, "All free, sir." But the ship is free, whether the officer announces it or not. It is the casting off of the hawser—not his announcement—that makes her free.

Some two months after these events, the Continental Congress, sitting in Philadelphia, adopted two declarations of Independence—one on July 2nd, drafted by Richard Henry Lee, and the other on July 4th, drafted by Thomas Jefferson and materially improved by Benjamin Franklin and John Adams. Jefferson's declaration set forth in language of surpassing force and clearness the political philosophy of the day and the grievances which justified the colonists in renouncing their allegiance to the King. It was an address to the world, issued (as it said) out of decent respect for the opinions of mankind, for the purpose of explaining, justifying and vindicating the action which Rhode Island had already taken and which the Continental Congress advised the other colonists to take. For the Continental Congress could only advise. It could not legally effect the independence of any colony or of the people of any colony. Jefferson's declaration was transmitted to Rhode Island by the Continental Congress, and our Legislature published it, as the Continental Congress had requested it to do.

What part, then, had Jefferson's declaration in the achievement of Rhode Island's independence? From the standpoint of moral and political effect, a great part. From the legal standpoint, no part whatever. If this seems to you to be a startling assertion, I think you will nevertheless agree with it if you put this question to yourself:

> Suppose this Rhode Island act of May 4th, 1776, had never been passed; and suppose that when the Continental Congress transmitted Jefferson's resolution to the Legislature of Rhode Island the Legislature of Rhode Island had refused to approve it and said that it did not wish to be independent and affirmed its continued allegiance to the King:
>
> Is there any doubt that Rhode Island would have remained a British dependency

The matter will be still clearer if you consider what the Continental Congress as it existed on July 4th, 1776, was. The Continental Congress was not, like our Congress of today, a body with power to enact measures binding upon the colonies or their people. It was neither an organized government, nor was it any organ, legislative, executive or judicial, of any organized government. It had no power to enact laws and no courts to which it could appeal from the enforcement of laws. Much less could it repeal an act of a colonial legislature or set up an independent government in a colony or deal with the relation of allegiance between a colony and its people and their King. In the first debate which took place in the Continental Congress, John Rutledge, a delegate from South Carolina, said:

> "We have no legal authority; and obedience to our determinations will only follow the reasonableness, the apparent utility and necessity of the measures we adopt. We have no coercive or legislative authority. Our constituents are bound only in honor to observe our determinations."

The Continental Congress as it existed on the 4th day of July, 1776, was a committee of the several colonies. It was an out-

growth and extension of Samuel Adams' Committees of Correspondence. It met in response to an invitation to the other colonies embodied in a resolution of the Massachusetts legislature, passed on the 17th of June, 1774. The resolution was as follows:

> *Resolved,* That a meeting of *Committees* from the several colonies of this continent is highly expedient and necessary to *consult* upon the present state of the colonies and the miseries to which they must be reduced by the operation of certain acts of Parliament respecting America, and to *deliberate and determine* upon wise and proper measures to be *recommended* to all the Colonies for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of union and harmony between Great Britain and the Colonies, most ardently desired by all good men.

You will note the limitations which were placed upon this committee. Its duties were to *consult, deliberate* and *determine* upon wise and proper measures to be *recommended* to the colonies. It was not empowered to enact anything itself which would be binding upon the colonies.

Thomas Jefferson's declaration of independence was the report of this committee to Rhode Island and the other colonies which had created it. Like all good committees, it suggested that the bodies creating it should approve and publish its action. No such approval was necessary on the part of Rhode Island, because it had already done what the committee recommended. It had dared to do alone what every other colony had refused to do until it could be reasonably assured by some such action as that of the Continental Congress that all the colonies would take the same action.

By approving and publishing the Jefferson declaration when it was submitted to us, we merely associated ourselves with such of the other colonies as also approved it, in the common cause. We certainly did not repeal our previous declaration of May

4th, under which we were already functioning, through officers commissioned by ourselves, in our courts, in our legislature, and through our military and naval establishments on land and sea, as an independent State.

I think it is worth while on such an occasion as this to review the grounds upon which the colonists justified their renunciation of allegiance and the circumstances which finally led to such renunciation.

The fundamental principle of their political philosophy was that protection and allegiance are reciprocal. The subject owes allegiance to the sovereign, and the sovereign in return is bound to protect the subject in his rights. The colonists were the subjects of the King and owed him allegiance. He owed them protection in their ordinary rights of English subjects and in the special rights which the King or his ancestors had granted to them in their charters.

The colonists claimed that these rights had been invaded *not* by the King, but by Parliament and its ministers. Up to 1776, they did not, formally and publicly, at least, lay those acts to the charge of the King. On the contrary, they repeatedly appealed to him, as their liege lord, superior to both them and to Parliament and the ministers, to put a stop to and redress the wrongs which Parliament and the ministers were inflicting upon them. In these appeals they constantly and to the very last assured him of their allegiance and denied any wish or intention of renouncing it or of seeking independence.

The actual revolution was far under way long before this declaration of independence was adopted. The colonists had resisted and slain British troops at Lexington and Concord and Bunker Hill. They had driven the British Army out of Boston (on March 17th, 1776) and had invaded Canada and attacked Quebec (December 31, 1775). But through all these events, down to the very last, they had sedulously refrained from any attempt to alter their political relations with Great Britain. They continued to affirm in the strongest language their allegiance

and loyalty to the King. They disclaimed all idea that they were seeking independence.

It was of Parliament that they complained, and against the acts of Parliament and its ministers. They referred to the armies who were oppressing them, not as the King's armies, but as the ministerial armies. George Washington, announcing to Governor Cooke of Rhode Island the evacuation of Boston by the British troops, said under date of March 17th, 1776:

> "I have the pleasure to inform you that this morning the *ministerial* troops evacuated the town of Boston without destroying it and that we are now in full possession."

An the first of April, 1776, Governor Cooke wrote to General Washington that he had information from Newport that a large part of the *ministerial* fleet and army were near that harbor.

Of course, this was all political fiction. The ministers were the King's ministers. The King's name had been signed to every act of Parliament of which the colonists complained. The soldiers whom they had slain at Concord and Bunker Hill were the King's soldiers, and the "Gaspee" which we had burned in Narragansett Bay was the King's ship.

Nevertheless, in the legal and political aspects of the case, there was the distinction between the King and Parliament and the ministers, which it was important for the colonists to maintain. They owed no allegiance to Parliament or to the ministers. They did owe allegiance to the King. They might resist Parliament with comparative safety. But if they resisted the King, they became traitors and were quite likely to be hanged. Moreover, the eyes of the world were upon them. To obtain the support abroad for which they hoped, they must make it perfectly clear that the King was the aggressor, and not they. In the whole long years of struggle which preceded the Declaration of Indepenrence, the strategy of the colonists, both in the forum and in the field, was that embodied in the immortal words

addressed by Captain Parker to the minute men, which you may read on the green at Lexington:

> "Stand your ground. Do not fire until you are fired upon. But if they want a war, it might as well begin here."

The colonists were determined that they would not renounce their allegiance until the King had formally and unequivocally denied them protection. They must be able to clearly show the world that *he* had broken the compact, and not they. And upon this resolution they consistently stood their ground until they could plausibly and reasonably say to the world that he was the aggressor. And that came about in this wise:

In August, 1775, the members of the Continental Congress once more addressed their gracious King. Once more they assured him of their allegiance and devotion. Once more they denied any intention of severing their relations with the English State or setting up an independent government. Once more they besought his interference against Parliament and the ministers in their behalf.

They sent this petition to the King by a descendant of William Penn, in the hope that the loyalty and services of his ancestors to the British Crown might make him an acceptable ambassador. The reply of the King was to refuse to receive the ambassador or the petition, and to denounce the colonists by Royal proclamation as rebels and no longer the objects of his protection. At the same time he began making arrangements for reinforcing his armies in America by hiring foreign mercenaries. News of this action reached the colonies in the last months of the year.

This was necessarily the end. Up to that moment, every leading colonial statesman and patriot had hoped or professed to hope for an ultimate reconciliation; but by this act of the King all such hopes were blasted. It was this act which pointedly justified the statement in Jefferson's declaration that:

> "We have been spurned with contempt from the foot of the throne."

The King had denied protection. He had thereby forfeited allegiance. It only remained for the colonists to express this fact by removing from their laws and other public records and from the proceedings of their governmental agencies whatever had its basis in allegiance, and to adapt what was left to existing conditions. In colonies where Governors and other officers were appointed by the Crown, this was no easy matter. New Hampshire (in January, 1776) deplored the "sudden and abrupt departure of its Governor for parts unknown" and that they were destitute of Courts, Governor and Legislature. They proceeded to set up a new government, but only provisionally—still protesting and declaring that:

> "we never sought to throw off our dependence upon Great Britain, and would rejoice in a reconciliation."

There was no such wish and no such doubt and no such trouble in Rhode Island. Under its liberal and democratic charter, the people of Rhode Island elected their own Governor and their own Legislature and established their own Courts. All that was essential to independence was to renounce allegiance to the King. That done, the rest was mere machinery—appropriate and significant things, indeed, but not the essential one.

Governor Nicholas Cooke needed no re-election, nor was it necessary for him to suddenly and abruptly depart for parts unknown. He and the other magistrates of the colony continued to function as before. Commissions were no longer issued in the name of the King, but, as required by the Act of Independence, in the name of "The Governor and Company of the English Colony of Rhode Island and Providence Plantations." This was our corporate name—the name by which we had been christened at our birth—and we were entitled to use it as long as we chose, even as a full grown man continues to use the name given him in the period of his infancy and tutelage after he has attained his majority and become independent.[1] These commis-

[1]That the use of the words "English Colony" in these commissions carried no implication of continued allegiance or dependency, see *Lectures to American Audiences*, by Edward A. Freeman, Fellow of Trinity College, Oxford, pages 23-26.

sions were dated in the year of our Lord, without reference to the year of the King's reign. In the charter itself, the date was given in the year of the King's reign, without reference to the birth of our Lord. In those days that was a secondary matter. The royal arms disappeared from the front pages of the few Journals of the day. The effigies of King George the Third disappeared from the swinging signs before the taverns and were replaced by equally atrocious caricatures of George Washington.

Rhode Island lived on under its charter, already 113 years old. It carried her through the Revolution, the Articles of Confederation and into the United States of America. And for sixty-seven years after her Declaration of Independence, she lived and prospered under the venerable instrument granted her by that faithless and good-natured profligate King Charles the Second. This and two other acts of his may be regarded as entitling his memory in some measure to the respect and kindly tolerance of mankind. He granted a liberal charter to Connecticut also, and with his dying words he expressed a human solicitude for the future of Nell Gwynn.

When we commemorate events like this, we should never make it an occasion for reviving ancient grudges or arousing new animosities between peoples. We should never think of George the Third or Lord North without remembering also Burke and Fox and Chatham and the thousands of other Englishmen who realized then what everybody admits now—that the American Revolution was as much a struggle for the liberties of Englishmen as it was for the liberties of the colonists. Especially today, with a world in tumult, as an aftermath of the greatest upheaval recorded in the annals of mankind, we should remember that the people whose political ideals are nearest identical with our own, is the people of that country from which our first colonists came and whose free institutions they brought with them and expanded in our favorable surroundings. We fought our Revolution to preserve those free institutions both

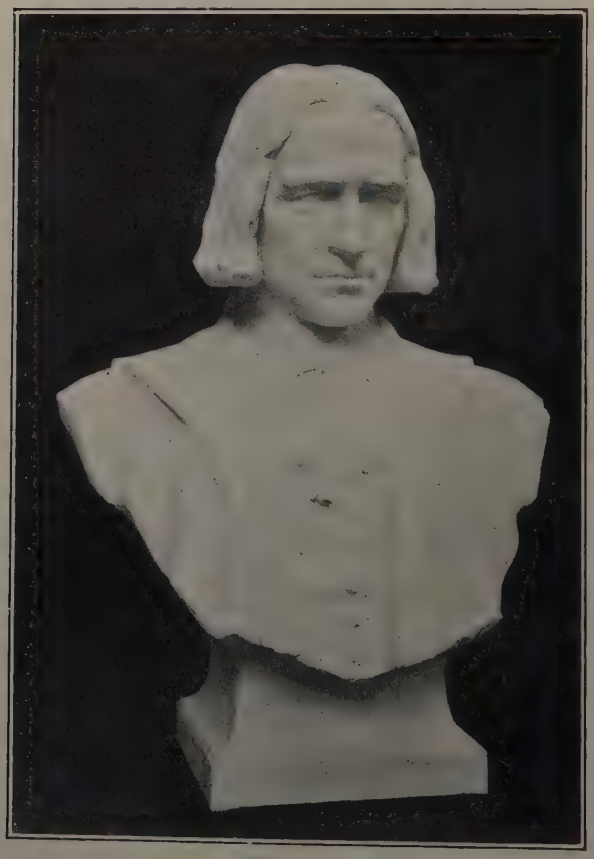
for them and for ourselves. We should remember, too, that in by far the greater part of the world, and among an enormous majority of its people, those ideals neither prevail nor are they even comprehended. And that if, as we believe, it is essential to the peace and welfare of the world that they should ultimately prevail, the result can only be achieved by the close friendship and co-operation and the united efforts of the two countries in which they had their origin and development.

Finally, no occasion like this should be allowed to pass without mention of the name of James S. Slater, veteran of the Civil War and long-time Town Clerk of the Town of North Smithfield, who when this important event in Rhode Island history seemed to be ignored and lost sight of by his fellow citizens, constantly kept it in mind and impressed it upon the public. To his memory we owe a tribute of affectionate respect. When he could get no one else to celebrate this day with him, he celebrated it alone—until gradually he impressed it upon the minds of more and more of his fellow citizens and finally achieved the triumph of obtaining for it an official recognition.

I never saw and I shall never see James S. Slater with mortal eyes. He has passed beyond their range. But I think I can do even better. I can make my own mental picture of him, as I like to do of all my favorites in history or fiction. I can visualize him as one of those sturdy, unassuming citizens who faithfully served his country in peace and war and went quietly about every task that life imposed upon him. Whose every morning, like that of Longfellow's Village Blacksmith, saw some worthy task begun, and whose evening saw it close; who cherished a steadfast and unfaltering purpose to keep the significance of this act of the legislature of Rhode Island always fresh in the minds of its people and secure for it official recognition and observance; who was never discouraged when his efforts were ignored, nor fretful at delay, because he knew that his purpose was a noble one, and that because it was noble it was certain to be ultimately achieved. I delight in the picture of such a man, and I rejoice today, as I am sure he, too, somewhere in this wide universe, rejoices, that as a result of his efforts there stands in our Statute Book this section:

> "Sec. 13. The fourth day of May in each and every year hereafter is hereby established, in this state, as

'Rhode Island Independence Day';—being a just tribute to the memory of the members of our general assembly who, on the fourth day of May, seventeen hundred seventy-six, in the state house at Providence, passed an act renouncing allegiance of the colony to the British crown, and by the provisions of that act declaring it sovereign and independent—the first official act of its kind by any of the thirteen American colonies."



Front view of bust of Roger Williams recently placed in Hall of Fame, New York.

Courtesy of Society of Colonial Dames

The Earliest Known White Settlement on Block Island

By George R. Burgess

In the January, 1923, issue of the *Collections* appears a reproduction of the original manuscript plat of Block Island with key to land ownership. On the east beach, as shown on this map, appears the number "77," and upon reference to the key we find "doges hous [Dodge's house]." I believe the first word has been misread, because:—

First: Upon comparing the first letter in this word with other d's (large and small) on the original map, it is seen that none of them is like this letter. (There are no l's on the map for comparison.)

Second: Simon Ray, one of the original sixteen proprietors, made an affidavit dated February 28, 1718-19, at the age of 81 years, to the effect that Tristram Dodge, a fisherman of Newfoundland, had joined them [the original proprietors] and in consequence of his being versed in fishing methods, they granted him three acres of land southeast of the harbor.

Third: The first Block Island record book lists Tristram Dodge as sailing from Taunton in April, 1662, in the Island Mayflower, as one of the settlers.

It would seem that if Dodge was already a resident of Block Island he would not have been recorded as settling there in 1662, nor would Simon Ray have made the affidavit he did, as is recorded in the second town record book.[1] The reason for this affidavit is not apparent.

Instead of "doges hous," I read it "Loges hous," meaning log house, which the surveyors found when they platted the Island. The land on which it was found was not assigned to any individual but was left for the use of the inhabitants in common.

[1]Also in Woodward's Dodge Genealogy, 1904, p. 5.

In 1648 or 1649 there appeared in Long Island Sound a pirate ship named Legace, the pilot of which was a man named Kempo Sebado. (The spelling of both names is varied by different writers.) Sebado evidently quit the ship at New London, or near by, as he appeared in New London, or Pequot as it was called, in time to be granted an original lot[2], 1650-1. This lot was on Main Street and in later years Shapely Street was cut through it. He was a resident of New London as late as May 29, 1653 (and had paid church and other rates for two years)[3], on which date he was fined ten pounds for selling ammunition to the Indians.[4] This marks the beginning of his troubles in this section of America.

From New London he carried on a business of shipping and trading with the Indians and owned at least one vessel, which he called a barque and others a pinnace. In April, 1653, he was commissioned by Governor Winthrop of New London settlement to bring some bread into that town.[3] With "1700 of bread, linen, holland and pole davis," he set sail from some port, also accompanied by some passengers en route to New London, and as he entered that port on the 18th or 19th of April, Edward Hull and Samuel Comstock—sometimes designated as pirates—in the "barque SWALLOW frigott" promptly took possession of Sabado's vessel as a Dutch prize. Governor Winthrop, learning of the capture, put two men on board to take an inventory and demanded the bread, but was refused it.[3] Hull and Comstock brought the vessel into Newport, where it was promptly condemned and sold as a prize to William Dyer, who in turn sold it to Christopher Almy.

Sabado, when he learned of it, protested, but the Rhode Island government was apparently loth to hear the case, and made efforts to put the hearing of it onto the Massachusetts and Jamaica courts, possibly with some authority for the latter, as the order for the appointment of a commission for receiving

[2]Caulkin's History of New London.
[3]John Winthrop's testimony in Salem Court Records.
[4]Connecticut Colonial Records.

Dutch prizes had come from an English official located at Jamaica.

Roger Williams, in a letter to Winthrop, says: "We have had some gusts amongst us as to our whole Colonie & civill order. . . . . Mr. Eaton & Mr. Dyer at Newport, fearing Sabaudies pinnace must be paid for which case the Court at Massachusets lately would not determine, but left it to be tried in our own Colonie, which was the late answer of the Court at Ipswich to Mr. Ames [Almy] who sued Mr. Dyer in the Bay." In another letter he says, a prepos of nothing at all, "I pity poor Sabaudy."

From our Colonial Records it appears that Nicholas Easton had been appointed commissioner to receive prizes and turn the money into the treasury. Easton evidently sold Sabado's ship to William Dyer, who in turn sold it to Christopher Almy, as the Court of Commissioners, on March 17, 1655-6, ordered "that whereas, Christopher Almy bought a vessell of Mr. Dyer, which was ———, [Sabado's], and hath since had the vessell seized on in ye Massachusetts; as alsoe findinge that ye said vessell was noe prize by verdict of jurie on Rhode Island. We therefore order, that ye saide Christopher Almie, or his father in his behalfe, hath authoritie hereby to demand of Mr. Nicho: Easton twenty-eight pounds and five shillings of ye State's part, to make part of restitution;"

Easton evidently paid no attention to the Almy demand, so the Court in October ordered "that the president, Mr. Roger Williams is desired to draw up a letter to Mr. Nicholas Easton, containing the heads of Captaine Campo Subados petition, and the letter sent from his "Highness" Commissioners of Jamaica, concerninge Captain Subado desiringe his presence or his answer upon the thirteenth daie in this present month. Also to give an answer of his not delivering the £28. 5s to Christopher Almy,". Another demand to be made on Easton was ordered May 18, 1658. The General Court at the May, 1661, session, becoming discouraged as to their ability to force Easton to pay over Almy's money, revised their previous order, telling Almy

to make another demand on Easton, and "in case he doth not receive it on demand, he may tacke a legall way to recover it;".

After failing a hearing in Massachusetts, the case was brought before the Court at Portsmouth, in August, 1653. In the meantime, in May, 1653, Edward Hull had asked for and received, a privateersman's commission to go against the Dutch, but this was too late to legalize the seizure of Sabado's ship. The declaration was dated August 18, 1653, alleging damage to the amount of 200 pounds sterling, and the case was heard the 29th. Verdict was for Sabado, as the vessel was adjudged not a prize as it was taken without a commission. No mention is made of New London's bread.

The owners of the SWALLOW were the Hulls, father and two sons, with one eighth share to Samuel Comstock, who later sold it to Robert Earle. Ten or eleven days after capturing Sabado's vessel at New London, Hull and Comstock sailed over to Block Island where Sabado had a station for trading with the Indians for fish and wampum. William Baker and his wife were in charge of, and living in the house. The writer can find no record of any grant to Sebado for the occupancy on Block Island, but that does not alter the fact that he had a house there. Massachusetts claimed the Island at this time—in fact, she had claimed it from 1636, after the murder of John Oldham by the Indians.

At Salem, November 29, 1653, Sabado had his day in court against Robert Hull, father, and John Hull, son, for the Block Island capture. William Baker, as agent for Sebado, testified to the effect that on the 29th of April Samuel Comstock and some of his company came up to the house on Block Island and sat down to "drink tobacco," and he, in a friendly manner, gave them some tobacco and water. After the entertainment, and Comstock and company were about ready to depart, Comstock showed him a legal looking document, saying it was a warrant from the Governor of Connecticut to fetch Baker and wife to New London, as, on account of the war between the Dutch and English, it was not safe for them to continue to live on the

Island. Baker acquiesced, so all the articles for trading, amounting to 96 pounds, were transferred to the Hull vessel. After leaving the Island, Baker was informed by Comstock he was a prize. The Bakers were set ashore at New London, while Comstock with Sebado's stock in trade left for parts unknown. This suit was against the Hulls as "setters forth" and part owners of the barque SWALLOW, but as Robert and John proved, they were unable to control Edward—had protested against his unlawful actions, in fact, they received the verdict.

Sabado brought a replevin suit, heard at Salem December 27, 1654, against Christopher Almy for detaining his barque ten or eleven months, and won it.

By this time, Sabado seems to have been satisfied that New England was too cold for him, so he set sail in his vessel for Jamaica and enlisted early in 1655, under the English government there, to go against the Dutch.[5] He served with merit for about three and one-half years, and in July, 1658, he returned from New River to Jamaica, where he and his crew were royally entertained on board the SWIFTSURE. Under a plea of poor health and wanting to go to "his own country," he was given two testimonials and permission to go to England to be paid off. It is presumed he arrived safely and received his reward, for in 1659 his will was probated at Doctors' Commons, as a resident of London, mariner, in which he devised "lande houses and plantations in 'Affrica' (To witt in New England and Jamaico)."[6]

Sabado had a house on Block Island—a trading station, and as such it would need to be convenient to ships and Indians. The water opposite where this log house is noted on the map, is free from rocks and was the best riding place around the Island for vessels. It was located about where the bath houses now are. The south shore of the Great Salt Pond, where lay the large Indian settlement, is a quarter mile west of this house, and furnished the fish and wampum. A stream running from the Pond

[5]Calendar of Colonial Papers, Vol. 1, p. 390.
[6]Mass. Hist. Col. 4th Ser. Vol. 6.

comes to within a few feet of the location of the house as shown on the map, with water deep enough to float canoes or small boats. We are told the Indians did not build houses of logs. This evidence seems to be conclusive, that the house noted by the surveyors was that of Captain Kempo Sebado, and that William Baker and wife were the first white residents on Block Island.

The New London records[2] show that a William Baker was a witness to a deed from the Indian Sachem Mauhekon to Nathaniel Brewster, dated April 25, 1650. He does not appear as a resident there. A William Baker was a proprietor of Portsmouth in 1651, but is not mentioned again in the Portsmouth Town Records until January 11, 1659, when he sold ten acres of land and his house. On January 12, 1660, he asked the town to take his sheep and support him, and he was so supported and boarded by various inhabitants. The last time he is mentioned is on December 3, 1662, when the town voted to pay James Sands for his "lodging and diatt." James Sands at that time was a proprietor of Block Island.

[Mr. Burgess has recently prepared a map of Block Island based on the proprietor's map of 1661, to which he has added notes of historical interest, and has briefly entered the land transfers on the larger divisions shown on the plat. The map contains about 75 names of heads of families, or all that are of record to 1717, as owning or leasing real estate.]

Notes

The Society has obtained another hitherto unrecorded Rhode Island eighteenth century broadside. It is a reprint of the front page of the *Providence Gazette* for February 21, 1784, and contains a strong argument for the abolition of slavery.

Another interesting accession is the printed briefs in the Admiralty cases of four Rhode Island vessels, that were taken by the English: the *Stork* of Bristol, 1806; the *Rowena* of

The Steamer Hancock
From photograph of an oil painting formerly owned by Hon. John S. Brayton.

From photograph in the Society's Museum

Newport, 1805; the *Arthur* of Providence, 1809; and the *Fame*, of Providence, 1808.

A biography of Dr. Benjamin Waterhouse by J. W. Courtney, M.D., of Boston, has been printed in pamphlet form at Geneva, Switzerland.

"Antiques" for June contains an article on early Rhode Island invitations, "The Americana Collector" for May contains an account of paper-making in Rhode Island, and the June issue contains a biographical sketch of James Franklin, Junior, the Newport printer.

The following persons have been elected to membership in the Society:

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Quetenis Island or Dutch Island

By Howard M. Chapin

The Dutch interest in Narragansett Bay began in 1614 with the famous exploring voyage of Captain Adrian Block.[1] Skirting the coast from the westward, he came upon the island, which thenceforth was to bear his name, and then entered and explored the lower reaches of Narragansett Bay. Captain Block apparently talked with the Indians and doubtless traded with them to some extent.

Adventurous Dutch traders followed Block, and within a few years developed a considerable trade with the Indians about

[1]Chapin, H. M. Doc. Hist. of R. I., II:12.

Narragansett Bay. These explorers and early traders applied Dutch names to places about Narragansett Bay, and this nomenclature is recorded in the so-called Figurative map of 1616, the Iacobz map of 1621 and the DeLaet map of 1630.[2]

Block apparently associated closely enough with the Indians to make a distinction between the Wapenocks and the Nahicans, as he called the two tribes, known to us as Wampanoags and Narragansetts, and he located the latter tribe as on the west side of the bay. He mentioned two Narragansett chiefs by name, Nathattow, probably known to the English as Mascus, and Cachaquant, evidently Canonicus.

The early Dutch maps are very inaccurate both in the delineation of the coast and the location of the islands, as well as in the location of the Indian tribes. They are of great use historically in showing a Dutch interest in the Narragansett Bay district as evidenced by the Dutch place names. From the first, Block Island held its present name, though sometimes enlarged to "Adrian Blox eyland." Narragansett Bay as a whole does not seem to have had a name, but its three main arms each had its own name. The west passage was called Sloop[3] (or its variant Chaloup) Bay, the east passage Anker Bay, and the Sakonnet River at first Nieuwe (new) Rivier and later Bay van Nassau. The 1616 map shows an anchorage in Mount Hope Bay and calls Bristol Neck "Gense Eyland."

That the Dutch traded extensively with the Wampanoags is emphasized by the anchorage and place name near Mount Hope on the 1616 map and by the application of the name Wapanoos to the Indians on both sides of the bay, which, though clearly an error, may have been due to a better acquaintance of the traders with this tribe.

Still better proof of the Dutch trade is given by Winslow in the Good News under the date of March, 1623. At that time a Dutch ship, lying off Massasoit's settlement at Pockanocket, was

[2]Chapin, H. M. Cartography of R. I., p. 3.

[3]"Marinkansick otherwise called Sloops Bay." 1656 D. C. H. N. Y. I:565. Marinkansick is evidently a Dutch attempt to spell Narragansett.

"driven so high on shore by stress of weather, right before his dwelling, that till the tides increased, she could not be got off."[4] This Dutch ship, however, was floated and sailed before Winslow himself reached Pockanocket.

Even as late as the Colom map of 1648, we find Dutch names still applied to this district, Klips Kil evidently being at this time applied to the Warren River, doubtless the principal haven used by the Dutch in their trade with the Wampanoags.

The extent and importance of the Dutch trade in Narragansett Bay was realized by the Plymouth colonists, who in their negotiations with the Dutch in 1627 asked the latter to "forbear to trade with the natives in this Bay and River of Narragansett and Sowames, which is, as it were at our doors."[5] The Dutch naturally declined to give up this lucrative trade and continued "to truck pieces, powder and shot" with the Indians.[6]

In 1636 or 1637, Abraham Pietersen, who later became prominent as one of the famous "Assembly of Eight," purchased from the Indians, paid for and took possession of the Island of Quetenis in Sloop Bay.[7] Pietersen was not acting for himself, but for the Dutch West India Company, and this purchase was made the basis of later Dutch claims to this district.

It is easy enough to identify the Quetenis Island of the Dutch with Dutch Island in Narragansett Bay. It was probably used as a trading base by the Dutch, and there is no evidence that it was either settled or fortified by them.

Sidney S. Rider suggests that Quetenis is the Latin word meaning "as far as," but his argument is not conclusive.[8] It

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[4]Winslow's Good News. M. H. S. C. I-VIII-257.
[5]M. H. S. C. I-III-52.
[6]M. H. S. C. I-III-57.
[7]New Netherlands claimed "all other bays, rivers and island situate westward of Cape Cod, and especially the island named Quetenis, lying in Sloop bay, which was purchased, paid for and taken possession of in the year 1637 on the Company's account." Mss. dated Feb. 1651. D. C. H. N. Y. I:544, II:134 and ". . . Sloops Bay, howbeit, possession had been taken of it, in the year 1636 for the Company by one Abraham Pieterson of Haerlem on the Island Quetenis situate in front of said bay." Mss. dated 2 Jan. 1656. D. C. H. N. Y. I:565.
[8]Rider, S. S. (Indian Lands). The Lands of Rhode Island, p. 121. Cf. p. 62 and map and R. I. L. E. I:67.

may well be a corrupted Indian name, perhaps a Dutch derivative from Acquedneessuck, the first and last syllables being dropped as so often happened when Indian words were adapted to European tongues.

This island was called Dutch Island as early as 1677,[9] by Benedict Arnold in his will, although when he purchased it from the Indians in 1658 it was called Acquedneesuck and Aquidnesicke.[10]

Samuel G. Arnold, writing in 1856, states that "the Dutch had two fortified trading posts on the south shore of Narragansett, in what is now Charlestown."[11] Rider identifies these as "Ninigret Fort" and the fort on Chemunganock Hill,[12] but Leicester Bradner shows that these forts were in all probability Indian and not Dutch.[13]

The Dutch at first applied the name Hoek van de Wapanoos to Point Judith and later called it Cabeljaws Hoeck. It was of course an important landmark to traders whether their destination was Klips Kil or Quetenis.

[9]R. I. H. M. VI:29.
[10]R. I. L. E. I:67, 68.
[11]Arnold, S. G. Hist. of R. I. I:155.
[12]Rider. p. 295.
[13]R. I. H. S. C. XIV:1.

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